IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 20TH OCTOBER 2006 / 28TH ASWINA 1928

Bail Appl..No. 5906 of 2006()

CRIME NO.970/2006 OF KOTTARAKARA POLICE STATION
CMP.9299/2006 of J.M.F.C.-I,KOTTARAKKARA

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PETITIONERS/ACCUSED 1 AND 2

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1. SURESH, AGED 32 YEARS, S/O.VASU,
   LEKSHAMVEEDU NO.12, ERANOOR MURI,
   VETTIKAVALA VILLAGE, KOTTARAKARA.

2. PRASAD, AGED 29, S/O.VASU,
   LEKSHAMVEEDU NO.12, ERANOOR MURI,
   VETTIKAVALA VILLAGE, KOTTARAKARA.

BY ADV. SRI.P.A.NOOR MUHAMMED
SRI.C.K.PRASAD

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE SUB INSPECTOR OF POLICE, KOTTARAKARA,
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF
KERALA.

BY PUBLIC PROSECUTOR, SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

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B.A. No. 5906 of 2006

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Dated this the 20th day of October, 2006

O R D E R

The petitioners are accused Nos.1 and 2 in Crime No.970/2006 of Kottarakara Police Station, for the offence punishable under Sections 302, 324 and 447 I.P.C., read with Section 34 of the Indian Penal Code. Because of the previous enmity, the accused, trespassed into the courtyard of the deceased Krishnankutty, and assaulted him with cable wire, stick and stone, causing severe injuries, because of which, he succumbed on 22/08/2006. Therefore, the crime has been registered. Accused Nos.1 and 2 were arrested on 24/08/2006. They are in judicial custody. Hence, this application for bail.

2. After hearing both sides and considering the materials that are placed before me, I grant bail to the petitioners and release them from jail, subject to the following conditions:-

i. Each petitioner shall execute a bond for Rs.25,000/-, with two solvent

sureties each for the like sum, to the satisfaction of the Judicial Magistrate of the First Class-I, Kottarakara.

ii. Immediately on release from the jail, the petitioners shall report before the Investigating Officer, who is investigating Crime No.970/2006 of Kottarakara Police Station, and from there, they shall proceed out of the police station limit of Kottarakara.

iii. The petitioners shall not enter that police station limit, for a period of two months.

iv. The petitioners shall report their residential addresses and also the police station limit, within which they would reside, during the above period of two months, to the Investigating Officer, of the Kottarakara Police Station,

v. On the completion of the above two months, the petitioners shall report before

the Investigating Officer, of the Kottarakara Police Station, on the first working day of every month, between 10 a.m and 11 a.m, till the completion of the trial and final disposal of the sessions case.

vi. The petitioners shall not interfere with the investigation, attempt to influence or threaten the witnesses, or cause any hindrance to the smooth conduct of the prosecution case.

vii. The petitioners shall not leave the State of Kerala, till final disposal of the sessions case.

(J.M.JAMES)
Judge

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